

FEB 25 2009

Application Serial No. 10/588,825
Reply to Office Action of October 2, 2008

PATENT
Docket: CU-4999

REMARKS

In the Office Action, dated October 2, 2008, the Examiner states that Claims 14-32 are pending and rejected.

Rejection under 35 U.S.C. §102(e)

Claims 14-32 are provisionally rejected under 35 U.S.C. 102(e) as being anticipated by US Application No. 11/039,278 (US Patent Application Publication NO. 2005/0233094, hereinafter US 2005/0233094). Applicant respectfully disagrees with and traverses this rejection.

Claim 14 of the present application recites:

A liquid crystal display comprising:

a UV curable liquid crystal side substrate having a first substrate, an electrode layer formed on the first substrate, a first alignment layer formed on the electrode layer, and a UV curable liquid crystal layer with a UV curable liquid crystal fixed and formed on the first alignment layer; and

a counter substrate having a second substrate, an electrode layer formed on the second substrate, and a second alignment layer formed on the electrode layer, wherein the UV curable liquid crystal layer of the UV curable liquid crystal side substrate and the second alignment layer of the counter substrate and the second alignment layer of the counter substrate are disposed so as to face each other such that a ferroelectric liquid crystal is sandwiched between the UV curable liquid crystal side substrate and the counter substrate.

In contrast, Claim 1 of US 2005/0233094 recites:

Liquid crystal displays comprising a ferroelectric liquid crystal sandwiched between two substrates, wherein an electrode and a photo alignment film are each successively formed on inner sides of the substrates facing each other, a constituent material of a first orientation film out of the two photo alignment films is a photoreactive material which generates photoreaction to give anisotropy to the photo alignment film, and a constituent material of a second photo alignment film is an optically isomerizable material comprising an optically isomerization-reactive compound which generates an optical isomerization reaction to give anisotropy to the photo alignment film.

Comparison of the two sets of claims reveals that the present application is distinguished from US 2005/0233094 in that the liquid crystal display of the present

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application comprises a UV curable liquid crystal layer.

Although US 2005/0233094 discloses that the optically dimerizable material and the optically isomerizable material used in the photo alignment film have polymerizable properties, it is completely silent in disclosing that the optically dimerizable material and the optically isomerizable material exhibit liquid crystallinity. Further, US 2005/0233094 also discloses that the photo alignment film is formed on the electrode, it is completely silent in disclosing that the UV curable liquid crystal layer is formed on the alignment film which is formed on the electrode. Accordingly, US 2005/0233094 does not teach or suggest the UV curable liquid crystal layer of the present application. Accordingly, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. 102(e).

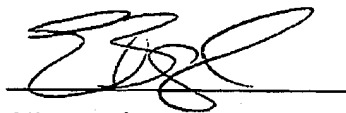
Double Patenting Rejection

Claims 14-32 are rejected on the ground of nonstatutory obviousness-type double patenting over the claims of US 7,402,332. Submitted with this response is a terminal disclaimer, which limits the maximum allowable patent term for a patent granted from the present application to the maximum allowable patent term for US 7,402,332. As such, Applicant respectfully requests withdrawal of the double patenting rejection of Claims 14-32.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

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Date

Respectfully submitted,



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